

MICHAEL McGUIRE, PhD, VOLUME II, 3-19-09

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IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,))
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES))
FOR THE STATE OF OKLAHOMA,)

Plaintiff,)

vs.) 4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al,)

Defendants.)

VOLUME II OF THE VIDEOTAPED
DEPOSITION OF MICHAEL McGUIRE, PhD, produced
as a witness on behalf of the Plaintiff in the above
styled and numbered cause, taken on the 19th day of
March, 2009, in the City of Tulsa, County of Tulsa,
State of Oklahoma, before me, Kristen Holmes, a
Certified Shorthand Reporter, duly certified under
and by virtue of the laws of the State of Oklahoma.

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MICHAEL McGUIRE, PhD, VOLUME II, 3-19-09**315**

1 have to make a decision whether or not to use three
2 of the four quarters or try to find four quarters to
3 average, and so we just did the best we could
4 following the guidance of the rule to determine
5 those running annual averages, some of which are
6 based on three quarters.

08:58AM

7 **Q** So based on the -- your analysis of RAAs, is
8 it accurate that you identified six public water
9 supplies in the Illinois River watershed that had
10 exceedances of the TTHM and HAA5 MCLs during the
11 period of record that you analyzed the data?

08:59AM

12 **A** No. It looks like five. Our calculation is
13 based on five. We did not find actually an
14 exceedance of the RAA for Sequoyah County Water
15 Association, which is the mystery that we talked
16 about before.

08:59AM

17 **Q** I see. So there are five public water
18 supplies that you identified violations at; is that
19 correct?

20 **A** That exceeded the MCL, yes.

09:00AM

21 **Q** And -- and then DEQ has identified one
22 additional, which is Sequoyah County Water
23 Association; is that correct?

24 **A** Yes.

25 **Q** Okay. Are you familiar with the Stage 2

09:00AM

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